THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8482 of 2007

Dated:27.04.2007

Between:

Kothapalli Gram Panchayat.

…Petitioner

and

The Government of A.P., and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8482 of 2007

ORDER:

Kothapalli Gram Panchayat, Huzurabad Mandal in Karimnagar District, is aggrieved by the permission granted by Bornapally Gram Panchayat (respondent No.4) in favour of the sixth respondent for establishment of Parboiled Rice Mill in Bornapally Village. The long and short of the case of the petitioner is that if Parboiled Rice Mill is established by the sixth respondent in Bornapally Village situated just across Kakatiya Canal separating the two Villages, it is likely to result in environmental degradation causing harm to the surface as well as ground water resources.

The Writ Petition is opposed by the learned Standing Counsel for the Andhra Pradesh Pollution Control Board and the learned Standing Counsel for the Gram Panchayat, mainly on the ground that as required under the provisions of Section 120 of the Andhra Pradesh Panchayat Raj Act, 1994, and Rule 31 of the Andhra Pradesh Gram Panchayat Land Development (Layout and Building) Rules, 2002, the fourth respondent obtained necessary permissions and technical approval from various authorities including the Andhra Pradesh Pollution Control Board by way of a consent for establishment by proceedings dated 02.03.2007.

In view of the above, the learned Counsel for the petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to prefer an appeal before the appellate authority constituted under Section 28 of the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981.

Giving liberty to do so and without expressing any opinion on the merits of the case, the Writ Petition is dismissed as withdrawn. No costs.

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(V.V.S.RAO, J)

27.04.2007
vs